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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 JUSTIN L. TRIPP,

15 Plaintiff,

16 vs.

17 CLARK COUNTY, et al.

18 Defendants.

CASE NO.: 2:17-cv-01964-JCM-BNW

**STIPULATION TO EXTEND
DISPOSITIVE MOTION DEADLINE
[ECF No. 192]**

(Second Request)

19
20 Pursuant to LR 6-1 and LR 26-3, Defendants Las Vegas Metropolitan Police Department
21 (“LVMPD”), Michael Rose, Jacquelyn Schumaker, Cesar Esparza, Robert Burleson, Neldon
22 Barrowes, Kevin Kegley, Jeanette Dillon and Linda Buchanan (“LVMPD Defendants”),
23 Defendants, NaphCare, Inc. Harry Duran, M.D., Eric Lopez, P.A. and Rachel Rudd (“Naphcare
24 Defendants”) and Plaintiff, Justin L. Tripp (“Plaintiff”) by and through their respective Counsel

1 hereby stipulate, agree, and request that this Court extend the dispositive motion deadline from
2 the current date of March 26, 2021 as the parties anticipate additional time is needed to prepare
3 the Motions due to pending deadlines and hearings in other matters.

4 **A. Discovery Completed to Date**

5 All discovery in this case has been completed. The parties exchanged numerous Rule 26
6 Disclosures, exchanged and responded to written discovery (Interrogatories, Requests for
7 Production of Documents and Requests for Admissions), served third-party Subpoenas, took the
8 deposition of Plaintiff and disclosed expert reports. Discovery closed on August 28, 2020.

9 **B. Discovery Remaining to be Completed**

10 No further discovery is needed.

11 **C. Reason for Request for Extension of Dispositive Motion Deadline**

12 As stated above, Counsel has numerous other deadlines around the same time that the
13 current dispositive motion deadline is set. As such, the parties are requesting this brief extension
14 at this time.

15 **D. Proposed Extended Deadline for Dispositive Motions**

16 Accordingly, the parties respectfully request that this Court enter an order as follows:

17 (1) Dispositive Motions.

18 The parties request the current deadline of March 26, 2021 be extended to April 26, 2021.

19 The parties recognize that they are requesting the instant extension for filing dispositive
20 motions within 21 days before the expiration of the dispositive motion deadline. *See* LR 26-3.
21 Excusable neglect exists to permit granting the instant requested extension. In evaluating
22 excusable neglect, the court considers the following factors: (1) the reason for the delay and
23 whether it was in the reasonable control of the moving party, (2) whether the moving party acted
24 in good faith, (3) the length of the delay and its potential impact on the proceedings, and (4) the

1 danger of prejudice to the nonmoving party. *See Pioneer Inv. Servs. Co. v. Brunswick Assocs.*,
 2 507 U.S. 380, 395 S. Ct. 1489, 123 L.Ed.2d 74 (1993). In beginning to prepare dispositive
 3 motions, the parties realized that due to the complexity of the claims in this case, the number of
 4 individual Defendants named and the extensive discovery conducted; additional time is going to
 5 be needed to prepare the motions. This is especially true in light of other hearings, depositions
 6 and deadlines in other matters. Although the parties intended to file the motions by the current
 7 deadline, it has become evident that more time will be needed. Simply put, the parties did not
 8 know twenty-one (21) days ago that more time would be needed.

9 This request for an extension is made in good faith and joined by all the parties in this
 10 case. Trial is not yet set in this matter and dispositive motions have not yet been filed.
 11 Accordingly, this extension will not delay this case. Moreover, since this request is a joint
 12 request, no party will be prejudiced. The extension will allow the parties the necessary time to
 13 prepare motions.

14 DATED this 18th day of March, 2021.

15 HATFIELD & ASSOCIATES, LTD.

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9 *P.A. and Rachel Rudd*

10 ORDER

11 IT IS SO ORDERED

12 DATED: 4:22 pm, March 22, 2021

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14 BREND A WEKSLER
15 UNITED STATES MAGISTRATE JUDGE
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